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IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SIXTY-THREE STRATEGIC
INVESTMENT FUNDS; and
PRESIDIO GROWTH LLC
(Tax Matters Partner),

Petitioners,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. Case No. C-05-1123 JW

**[STIPULATION FOR] ORDER
GRANTING MOTION BY R. CARY
McNAIR, JR. and KATHRYN N.
McNAIR TO PARTICIPATE AS
PARTIES PURSUANT TO I.R.C.
§6226(c) OR FOR LEAVE TO
INTERVENE**

Honorable James Ware, Chief Judge

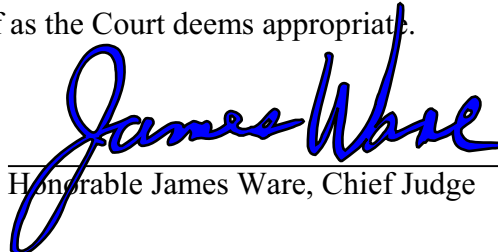
The parties, by and through their undersigned counsel, hereby stipulate to the granting of the Motion of R. Cary McNair, Jr. and Kathryn N. McNair, for Leave to Participate as Parties or for Leave to Intervene filed on December 10, 2009, based on the Notice of Motion and Affidavit of William E. Taggart, Jr. in Support of Motion filed on the same date.

1 Based upon the foregoing stipulation, the parties respectfully request that the Court grant
2 the Motion of R. Cary McNair, Jr. and Kathryn N. McNair, and order as follows:

3 ORDER that R. Cary McNair, Jr. and Kathryn N. McNair, be allowed to intervene
4 pursuant to Rule 24 of the Federal Rules of Civil Procedure; and

5 ORDER that R. Cary McNair, Jr. and Kathryn N. McNair, are parties entitled to
6 participate in all proceedings pursuant to 26 U.S.C. §6226(c).

7 ORDER such other and further relief as the Court deems appropriate.

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9 
10 Honorable James Ware, Chief Judge

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13 Dated: June 14, 2011

Respectfully submitted,

14
15 /s/ William E. Taggart, Jr.
16 WILLIAM E. TAGGART, JR.
17 Attorney for Petitioners
R. Cary McNair, Jr. and
Kathryn N. McNair

18
19 /s/ Steven M. Bauer
STEVEN M. BAUER
20 Latham & Watkins
Attorney for Petitioners

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22 /s/ Stuart D. Gibson
STUART D. GIBSON
23 Senior Litigation Counsel
24 Tax Division, Department of Justice
25 Attorney for Respondent
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing **STIPULATION FOR ORDER GRANTING MOTION BY R. Cary McNair, Jr. and Kathryn N. McNair TO PARTICIPATE AS PARTIES PURSUANT TO IRC §6226(c) or TO INTERVENE** has been made this 14th day of June, 2011, upon the following by ECF:

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/s/ William E. Taggart, Jr.
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